

1 **SHAPIRO & SUTHERLAND, LLC**
2 1499 SE Tech Center Place, Suite 255
3 Vancouver, WA 98683
4 Telephone: (360) 260-2253
5 S&S No. 17-122063

6 **UNITED STATES BANKRUPTCY COURT**
7 **FOR THE WESTERN DISTRICT OF WASHINGTON**

8 In Re:

Case No. 19-11580-TWD

9 Casey Lynn Pirie

**OBJECTION TO CONFIRMATION OF
THE AMENDED CHAPTER 13 PLAN**

Debtor(s)

11 COMES NOW Nationstar Mortgage LLC d/b/a Mr. Cooper, its successors and/or
12 assigns, ("Creditor"), by and through its attorney, Kelly Sutherland, hereby objects to Casey
13 Lynn Pirie's ("Debtor") proposed Amended Chapter 13 Plan dated July 15, 2019 (the "Plan").

14 **BACKGROUND**

15 On or about March 29, 2010, Lori L. Bumann and Casey L. Pirie made, executed and
16 delivered a Note ("Note") in favor of Bank of America, N.A. in the original principal amount
17 of \$155,035.00. Creditor is the holder of the original Note endorsed in blank. This Note was
18 secured by a Deed of Trust encumbering real property commonly described as 1839 S 286th
19 Lane, Apt. S104, Federal Way, Washington 98003.
20

21 As was established by the Proof of Claim that was filed with the Court, the amount
22 necessary to fully pay off Creditor's lien is \$135,123.75, and the pre-petition arrears are
23 \$3,581.63. The pre-petition arrears consist of escrow advances and an escrow shortage.
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1 **AUTHORITY AND ARGUMENT**

2 Creditor objects to confirmation of the Plan because the Plan does not provide for cure
3 of the pre-petition arrearage owing to Creditor. As stated above, the pre-petition arrearages are
4 \$3,581.63. Pursuant to 11 U.S.C. § 1322(b)(5), the plan must provide for the curing of any
5 default within a reasonable period of time. Since the Plan fails to cure the arrearage, the Plan
6 does not meet the requirements of 11 U.S.C. § 1322(b)(5).
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8 WHEREFORE, Nationstar Mortgage LLC d/b/a Mr. Cooper, its successors and/or
9 assigns, respectfully requests an Order denying Confirmation of the Debtor's proposed Plan.
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11 Dated this 25th day of July, 2019.
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13 /s/ Kelly Sutherland

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15 Kelly D. Sutherland, WSBA # 21889
16 Attorneys for Nationstar Mortgage LLC d/b/a Mr. Cooper
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CERTIFICATE OF MAILING

I certify that on July 25, 2019, I served an exact and complete copy of the Objection to Confirmation on the following parties by depositing it, or causing it to be deposited, in the U.S. Post Office, in a sealed envelope with postage paid, addressed to each of the respective parties' last-known address:

Casey Lynn Pirie
1839 S 286th Lane S #104
Federal Way, WA 98003

Ellen Ann Brown
Brown & Seelye PLLC
744 S Fawcett Ave
Tacoma, WA 98402

Jason Wilson-Aguilar
600 University St #1300
Seattle, WA 98101

/s/ Jenni Tkachenko
Jenni Tkachenko
Legal Assistant